

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DIEUDONNE ABEL,

Plaintiff,

-v-

TOWN SPORTS INTERNATIONAL HOLDINGS,
INC. and TOWN SPORTS INTERNATIONAL,
LLC.,

Defendants.
-----X

09 Civ. 10388 (DLC)

ORDER

DENISE COTE, District Judge:

The defendants' motion to enforce an oral settlement agreement having been denied, it is hereby

ORDERED that the plaintiff and defendants must complete production of any documents and answer any interrogatories that were previously served.

IT IS FURTHER ORDERED that the plaintiff and the defendants may each take one deposition.

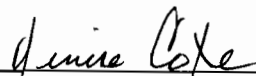
IT IS FURTHER ORDERED that fact discovery shall conclude on **January 28, 2011**. There shall be no adjournment of this date. Any summary judgment motion is due **February 25**. Opposition is due on **March 18**. Any reply is due **April 1**. At the time any reply is served, the moving party shall supply two courtesy copies of all motion papers by mail or hand delivery to the Honorable Denise Cote, United States Courthouse, 500 Pearl Street, New York, NY 10007. In the event that no summary

judgment motion is filed, the pretrial order in this jury case is due **March 4, 2011**.

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at the time of filing.

IT IS FURTHER ORDERED that the parties are instructed to contact the chambers of Magistrate Judge Freeman prior to **December 30, 2010** in order to pursue settlement discussions under her supervision.

Dated: New York, New York
December 23, 2010



DENISE COTE
United States District Judge